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SENATE BILL 499

48TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2008

INTRODUCED BY

Phil A. Griego

AN ACT

RELATING TO DRIVING UNDER THE INFLUENCE OF INTOXICATING LIQUOR
OR DRUGS; CREATING A TASK FORCE TO STUDY THE FEASIBILITY OF THE
IMPLEMENTATION OF DWI DRUNK PREVENTION TECHNOLOGY; MAKING AN
APPROPRIATION; DECLARING AN EMERGENCY.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. TEMPORARY PROVISION--DWI DRUNK PREVENTION
TECHNOLOGY TASK FORCE.--

A. The "DWI drunk prevention technology task force"
is created. The task force shall function from the date of its
appointment until December 15, 2008.

B. The task force is composed of the following
twelve members:

(1) the director of the alcohol and gaming
division of the regulation and licensing department or the

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1 director's designee, who shall serve as the chair of the task
2 force;

3 (2) the director of the motor vehicle division
4 of the taxation and revenue department or the director's
5 designee;

6 (3) the chief of the traffic safety bureau of
7 the department of transportation;

8 (4) the secretary of public safety or the
9 secretary's designee;

10 (5) a representative from the New Mexico
11 sheriffs' and police association; and

12 (6) seven members appointed by the governor,
13 which members shall include at least:

14 (a) one representative from the New
15 Mexico restaurant association;

16 (b) one representative from the New
17 Mexico retailers association;

18 (c) one representative from mothers
19 against drunk driving; and

20 (d) one representative from the New
21 Mexico DWI resource center.

22 C. Vacancies on the task force shall be filled by
23 appointment by the original appointing authority.

24 D. The alcohol and gaming division of the
25 regulation and licensing department shall provide staff for the

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1 task force.

2 E. Members of the task force are entitled to per
3 diem and mileage as provided in the Per Diem and Mileage Act
4 and shall receive no other compensation, perquisite or
5 allowance.

6 F. The task force shall study the feasibility of
7 implementing DWI drunk prevention technology in New Mexico that
8 would use driver's licenses to electronically register the
9 amount and type of alcoholic liquor purchased by the holder of
10 a driver's license from a business that sells or serves alcohol
11 to the public. As part of the study, the task force shall:

12 (1) review and assess existing DWI drunk
13 prevention technology, including its potential impacts on
14 reducing the problem of DWI in New Mexico and the use of that
15 technology in other states that may serve as models for New
16 Mexico;

17 (2) determine the fiscal impact, including any
18 impact on applicable insurance rates, on the following persons
19 and entities that would result from the implementation of the
20 technology:

21 (a) state and local government law
22 enforcement and regulatory agencies;

23 (b) businesses that sell or serve
24 alcohol to the public; and

25 (c) the citizens of New Mexico;

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1 (3) collaborate with the taxation and revenue
2 department to review incentives that the state could provide to
3 liquor licensees to implement DWI drunk prevention technology;
4 and

5 (4) make recommendations to the legislature
6 and the governor by December 1, 2008.

7 G. The alcohol and gaming division of the
8 regulation and licensing department may contract, at the
9 direction of the task force, for technological assistance and
10 expertise to carry out its duties pursuant to this section.

11 Section 2. APPROPRIATION.--Two hundred fifty thousand
12 dollars (\$250,000) is appropriated from the general fund to the
13 alcohol and gaming division of the regulation and licensing
14 department for expenditure in fiscal years 2008 and 2009 for
15 the DWI drunk prevention technology task force to expend
16 pursuant to Section 1 of this act, including the acquisition of
17 a pilot project that demonstrates the drunk prevention
18 technology. Any unexpended or unencumbered balance remaining
19 at the end of fiscal year 2009 shall revert to the general
20 fund.

21 Section 3. EMERGENCY.--It is necessary for the public
22 peace, health and safety that this act take effect immediately.